

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

CESSATION OF THE WASTEWATER OPERATIONS) CASE NO. 2000-541
OF FOREST HILLS DEVELOPERS, INC.)

ORDER

The Commission has been advised that Forest Hills Developers, Inc. ("Forest Hills Developers") has ceased operating and has dismantled its wastewater treatment facilities after the Louisville-Jefferson County Metropolitan Sewer District ("MSD") constructed sewer mains that intercepted and diverted wastewater from public sewer mains into MSD's collection system.¹ With the construction and connection of the MSD facilities, wastewater flows to Forest Hills Developers' facilities for collection or treatment terminated. Moreover, the Natural Resources and Environmental Protection Cabinet has denied Forest Hills Developers' application for its Kentucky Pollutant Discharge Elimination System Permit and thus terminated the utility's right to discharge its treated effluent into the waters of the Commonwealth.²

Finding that Forest Hills Developers no longer owns or operates facilities that are used to treat or collect sewage for the public for compensation and is therefore no longer a utility subject to Commission jurisdiction, KRS 278.010(3)(f), the Commission HEREBY ORDERS that:

¹ See Exhibit 1 to this Order. See also Andrew Melnykovich, Two Sewage Plants Could Close Soon If Owners Allow It, Courier-Journal, Oct. 19, 1998 at B1.

² See Exhibits 2 and 3 to this Order.

1. Commission records shall reflect that Forest Hills Developers is no longer an active utility.

2. Forest Hills Developers' tariff sheets shall be removed from the Commission's active utility tariff records.

Done at Frankfort, Kentucky, this 15th of December, 2000.

By the Commission

ATTEST:

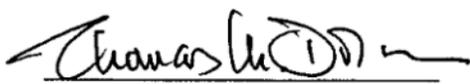

Executive Director

EXHIBIT 1

EXHIBIT 2

EXHIBIT 3